

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 16, 2016

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent – Andrus, Beyeler. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by TJ Ruiz, Page.

3RD ORDER

Approval of Journal

February 16, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

Guest Speakers

At this time, the Speaker introduced The Honorable James E. Risch, United States Senator, and The Honorable Mike Crapo, United States Senator, who spoke briefly to the members of the House.

There being no objection, the House advanced to the Fifth Order of Business.

5TH ORDER

Report of Standing Committees

February 16, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 496](#).

WILLS, Chairman

[H 496](#) was referred to the Local Government Committee.

February 16, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 345](#), [H 347](#), [H 348](#), [H 353](#), [H 358](#), [H 361](#), and [H 403](#) to the Governor at 10:55 a.m., as of this date, February 15, 2016.

WILLS, Chairman

February 15, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 452](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[H 452](#) was filed for second reading.

February 15, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 439](#) and [H 461](#) and recommend that they do pass.

WILLS, Chairman

[H 439](#) and [H 461](#) were filed for second reading.

February 16, 2016

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 463](#) and recommend that it do pass.

BARBIERI, Chairman

[H 463](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 39 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE IDAHO COMMISSION OF PARDONS AND PAROLE RELATING TO RULES OF THE COMMISSION OF PARDONS AND PAROLE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Idaho Commission of Pardons and Parole relating to Rules of the Commission of Pardons and Parole is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 50.01.01, the Idaho Commission of Pardons and Parole, Rules of the Commission of Pardons and Parole, Section 250., Subsection 05., only, adopted as a pending rule under Docket Number 50-0101-1501, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 40
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING A CERTAIN RULE DOCKET OF THE IDAHO
STATE POLICE RELATING TO RULES GOVERNING
ALCOHOL BEVERAGE CONTROL.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho State Police relating to Rules Governing Alcohol Beverage Control is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 11.05.01, Rules of the Idaho State Police, Rules Governing Alcohol Beverage Control, adopted as a pending rule under Docket Number 11-0501-1401, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 41
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND
CELEBRATING THE ONE HUNDRED TWENTY-FIFTH
ANNIVERSARY OF THE ADOPTION OF THE GREAT
SEAL OF THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the State of Idaho was admitted into the United States on July 3, 1890, and a great seal was needed for the new state, the First Legislature of the State of Idaho adopted House Concurrent Resolution 1, creating a legislative committee to grant a prize of one hundred dollars for the best design of a great seal; and

WHEREAS, Emma Edwards Green, a highly educated woman who stopped in Idaho on her way home to California from art school in New York, decided to stay in Idaho for the rest of her life teaching art. Having recently arrived in Idaho, she submitted a design for the competition, which had entrants from all over the country, and the legislative committee unanimously accepted her design; and

WHEREAS, Governor Norman B. Willey delivered the one hundred dollar honorarium to Emma Edwards Green on March 4, 1891, and on March 14, 1891, the Idaho Legislature officially adopted her design; and

WHEREAS, the Great Seal of the State of Idaho is the only great seal in the United States designed by a woman. At the time of the adoption of Emma Edwards Green's design the issue of women's suffrage was hotly debated and her design features a woman in the foreground with a male laborer, symbolizing equality; and

WHEREAS, Idaho would later become the fourth state to guarantee a woman's right to vote by amending the Idaho Constitution in 1896, twenty-four years before the adoption of the Nineteenth Amendment to the United States Constitution guaranteed that right to all women in the country; and

WHEREAS, the woman on the great seal also signifies justice, as denoted by the scales of justice in her hand. The woman further signifies liberty, as denoted by the liberty cap, a common artistic motif for freedom and the pursuit of liberty, placed on the end of a spear in the woman's other hand. The woman stands next to ripened wheat with wild Syringa, the state flower, growing at her feet. The liberty cap and woman's robes are white because Idaho was a virgin state; and

WHEREAS, mining was the chief industry in the State of Idaho in early statehood, represented by the male miner in the foreground who is dressed in grayish brown clothing typical of the time and standing on a rocky ledge with ore scattered at his feet, with his pick on his shoulder and his shovel at his side; and

WHEREAS, between the woman and the man is a shield, featuring the image of large trees to celebrate the immense timber industry in Idaho. A farmer plowing on the shield, as well as a sheaf of grain and a horn of plenty below the shield, are emblematic of Idaho's agricultural resources. Because Idaho had a law protecting large game, the head of a bull elk rises from the top of the shield. Coursing through the center of the shield is the majestic Snake River, the lifeblood of the State of Idaho, in the shadow of mountains in the rosy glow before sunrise;

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commemorate the adoption of the Great Seal of the State of Idaho for capturing the natural beauty, the varied industry, and the pioneering spirit of this great state.

BE IT FURTHER RESOLVED that we honor the memory of Emma Edwards Green for memorializing forever the equality of men and women by her historic and singular accomplishment of being the only woman to design a great seal.

**HOUSE CONCURRENT RESOLUTION NO. 42
BY EDUCATION COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
CONGRATULATING PROFESSIONAL FOOTBALL PLAYER
MATT PARADIS ON WINNING THE FIFTIETH SUPER
BOWL FOOTBALL CHAMPIONSHIP.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Matt Paradis, Idaho's native son from Council, was the starting center for the Super Bowl 50 champion Denver Broncos, hiking the ball to quarterback Peyton Manning; and

WHEREAS, Matt grew up in Council, Idaho, on his parents' cattle ranch and developed his mental toughness and dogged determination through a dawn-to-dusk schedule of stacking hay, fixing fence, herding cattle on the back of a bronco, and logging, as well as through playing youth sports; and

WHEREAS, Matt was the Idaho eight-man football player of the year in Idaho in 2007, playing multiple positions on both sides of the line for the Council Lumberjacks; and

WHEREAS, Matt joined the Boise State Bronco program as a walk-on. Showing his grit and determination, he won a scholarship, became the starter at center, and became a two-time All-Mountain West Center during his junior and senior years; and

WHEREAS, Matt was drafted in the sixth round by the Denver Broncos and had to once again prove himself by working harder than anyone else on the practice squad during his rookie year; and

WHEREAS, Matt again showed his perseverance and belief in himself during the off-season, becoming the starter by the first

game, and was the only member of the Broncos to play every offensive snap of the 2015-2016 regular and post-season; and

WHEREAS, "Number 61" also worked hard in the classroom, showing academic prowess by graduating from Boise State University with a double major in Finance and Business Economics; and

WHEREAS, Matt comes from a long line of hardworking Idahoans. His father Mike is a long-time logger and rancher in the Council area, and is presently an Adams County Commissioner, and his mother Janice is an elementary school teacher in Council.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that we honor Matt Paradis' hard work and we congratulate him on his Super Bowl Championship as the starting center for the Denver Broncos.

[HCR 39](#), [HCR 40](#), [HCR 41](#), and [HCR 42](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

5TH ORDER **Report of Standing Committees**

February 16, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 42](#).
WILLS, Chairman

[HCR 42](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER **Introduction, First Reading, and Reference** **of Bills and Joint Resolutions**

HOUSE BILL NO. 497 **BY STATE AFFAIRS COMMITTEE** **AN ACT**

RELATING TO LOBBYISTS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6619A, IDAHO CODE, TO PROVIDE FOR REPORTS BY CERTAIN STATE ENTITIES WITH EXCEPTIONS.

HOUSE BILL NO. 498 **BY HEALTH AND WELFARE COMMITTEE** **AN ACT**

RELATING TO ELECTRONIC CIGARETTES; AMENDING SECTION 39-5704, IDAHO CODE, TO REQUIRE A CERTAIN PERMIT TO SELL OR DISTRIBUTE ELECTRONIC CIGARETTES, TO REVISE TERMINOLOGY, TO REVISE PROVISIONS REGARDING A SIGN THAT MUST BE DISPLAYED BY PERMITTEES AND TO PROHIBIT SALE OR DISTRIBUTION OF ELECTRONIC CIGARETTES BY CERTAIN EMPLOYEES.

HOUSE BILL NO. 499 **BY HEALTH AND WELFARE COMMITTEE** **AN ACT**

RELATING TO FOOD; AMENDING CHAPTER 1, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-113, IDAHO CODE, TO PROVIDE THAT

THE IDAHO STATE DEPARTMENT OF AGRICULTURE SHALL BE THE DELEGATED AUTHORITY TO REGULATE CERTAIN ACTIVITIES IF SPECIFIED CONDITIONS ARE MET AND TO CLARIFY REGULATORY AUTHORITY; AND AMENDING SECTION 39-1602, IDAHO CODE, TO PROVIDE AN EXCEPTION TO A DEFINITION AND TO CLARIFY REGULATORY AUTHORITY.

HOUSE BILL NO. 500 **BY HEALTH AND WELFARE COMMITTEE** **AN ACT**

RELATING TO MEDICARE PROVIDER PAYMENT; AMENDING SECTION 56-265, IDAHO CODE, TO PROVIDE THAT REIMBURSEMENT FOR CERTAIN SERVICES SHALL BE NINETY-ONE PERCENT OF THE CURRENT MEDICARE RATE.

HOUSE BILL NO. 501 **BY COMMERCE AND HUMAN RESOURCES** **COMMITTEE** **AN ACT**

RELATING TO WORKER'S COMPENSATION INSURANCE; AMENDING SECTION 72-301, IDAHO CODE, TO REVISE ACCEPTABLE SECURITY INSTRUMENTS FOR WORKER'S COMPENSATION INSURERS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 502 **BY JUDICIARY, RULES, AND ADMINISTRATION** **COMMITTEE** **AN ACT**

RELATING TO THE UNIFORM PROBATE CODE; AMENDING SECTION 15-5-409a, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS MAY PETITION FOR A COMPROMISE OF THE CLAIM OF A MINOR, TO PROVIDE FOR THE ORDER OF PRIORITY TO MAKE A PETITION, TO AUTHORIZE A COURT TO PASS OVER A PERSON HAVING PRIORITY UNDER CERTAIN CONDITIONS, TO PROVIDE REQUIREMENTS FOR A PETITION AND TO PROVIDE FOR APPROVAL OF A COMPROMISE AND PAYMENT.

HOUSE BILL NO. 503 **BY JUDICIARY, RULES, AND ADMINISTRATION** **COMMITTEE** **AN ACT**

RELATING TO TRUST DEEDS; AMENDING SECTION 45-1502, IDAHO CODE, TO REVISE THE DEFINITION OF "TRUSTEE."

HOUSE BILL NO. 504 **BY JUDICIARY, RULES, AND ADMINISTRATION** **COMMITTEE** **AN ACT**

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-850, IDAHO CODE, TO REVISE POWERS AND DUTIES OF THE PUBLIC DEFENSE COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL HAVE CERTAIN DUTIES AND TO PROVIDE THAT THE COMMISSION SHALL HAVE CERTAIN POWERS; AMENDING SECTION 19-851, IDAHO CODE, TO DEFINE

TERMS; AMENDING SECTION 19-853, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 19-862, IDAHO CODE, TO REVISE A PROVISION REGARDING APPROPRIATION FOR INDIGENT DEFENSE PROVIDERS AND TO PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS IS NOT REQUIRED TO EXPEND ITS FULL LOCAL SHARE UNDER CERTAIN CONDITIONS; AMENDING CHAPTER 8, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-862A, IDAHO CODE, TO REQUIRE COMPLIANCE WITH INDIGENT DEFENSE STANDARDS, TO PROVIDE FOR INDIGENT DEFENSE GRANTS, TO PROVIDE APPLICATION PROCEDURES FOR INDIGENT DEFENSE GRANTS AND TO PROVIDE PROCEDURES FOR NONCOMPLIANCE WITH INDIGENT DEFENSE STANDARDS; AND AMENDING SECTION 19-864, IDAHO CODE, TO REVISE REPORTING REQUIREMENTS.

HOUSE BILL NO. 505
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO SEXUAL EXPLOITATION OF A CHILD; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1507A, IDAHO CODE, TO PROVIDE THAT SEXUAL EXPLOITATION OF A CHILD BY CERTAIN ELECTRONIC MEANS SHALL BE A MISDEMEANOR IN CERTAIN INSTANCES, TO PROVIDE THAT SEXUAL EXPLOITATION OF A CHILD BY CERTAIN ELECTRONIC MEANS SHALL BE A FELONY IN CERTAIN INSTANCES AND TO PROVIDE THAT PROCEEDINGS SHALL FALL UNDER THE JUVENILE CORRECTIONS ACT.

HOUSE BILL NO. 506
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO BRIBERY AND CORRUPTION; AMENDING SECTION 18-1356, IDAHO CODE, TO REVISE PROVISIONS REGARDING PECUNIARY BENEFITS TO PUBLIC SERVANTS, TO REVISE AN EXCEPTION, TO REMOVE A CERTAIN EXCEPTION AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 507
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO THE TESTING OF SEXUAL ASSAULT EVIDENCE KITS; PROVIDING LEGISLATIVE INTENT; AND AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2919, IDAHO CODE, TO PROVIDE THAT THE IDAHO STATE POLICE FORENSIC SERVICES LABORATORY SHALL TEST SEXUAL ASSAULT EVIDENCE KITS, TO PROVIDE DUTIES FOR HEALTH CARE FACILITIES, TO PROVIDE DUTIES FOR LOCAL LAW ENFORCEMENT, TO PROVIDE PROCEDURES FOR THE LABORATORY FOR TESTING KITS, TO PROVIDE FOR RETENTION OF KITS, TO PROVIDE FOR INDEPENDENT REVIEW OF KITS IN CERTAIN INSTANCES, TO PROVIDE RULEMAKING AUTHORITY, TO PROVIDE THAT IDAHO STATE POLICE FORENSIC SERVICES SHALL PROVIDE KITS TO

CERTAIN PARTIES, TO PROVIDE REPORTING AND AUDITING REQUIREMENTS FOR UNTESTED KITS, TO PROVIDE FOR VICTIM NOTIFICATION, TO PROVIDE FOR REPORTING REQUIREMENTS AND TO DEFINE A TERM.

HOUSE BILL NO. 508
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO BAIL ENFORCEMENT AGENTS; AMENDING CHAPTER 29, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2914A, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE REQUIREMENTS FOR BAIL ENFORCEMENT AGENTS, TO PROVIDE THAT AN AGENT MUST POSSESS CERTAIN ITEMS AND INFORMATION, TO ESTABLISH REQUIREMENTS FOR AGENT CREDENTIALS, TO PROVIDE THAT AGENTS SHALL WEAR CERTAIN OUTER GARMENTS EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE PROHIBITIONS, TO PROVIDE FOR A CIVIL PENALTY, TO PROVIDE FOR A CRIMINAL PENALTY, TO ESTABLISH REQUIREMENTS FOR PROSECUTION OF A BAIL ENFORCEMENT AGENT AND TO REQUIRE THAT A BAIL AGENT WHO APPOINTS A BAIL ENFORCEMENT AGENT SHALL KEEP A COPY OF THE BAIL ENFORCEMENT AGENT'S LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 19-2913, IDAHO CODE, TO CLARIFY THAT A SURETY COMPANY OR ITS BAIL AGENT MAY APPOINT ANOTHER BAIL AGENT; AND AMENDING SECTION 19-2914, IDAHO CODE, TO REVISE TERMINOLOGY.

HOUSE BILL NO. 509
BY RESOURCES AND CONSERVATION COMMITTEE
 AN ACT

RELATING TO OIL AND GAS; AMENDING SECTION 47-306, IDAHO CODE, TO PROVIDE THAT THE IDAHO GEOLOGICAL SURVEY SHALL PRESERVE CERTAIN SAMPLES AND RECORDS, TO PROVIDE FOR THE USE OF SUCH SAMPLES AND RECORDS AND TO PROVIDE FOR CERTAIN REPORTS OF DETERMINATIONS AND IDENTIFICATIONS SPECIFIC TO THE SAMPLES AND RECORDS; AMENDING SECTION 47-307, IDAHO CODE, TO AUTHORIZE SPECIFIED USES OF INFORMATION DERIVED FROM SAMPLES AND RECORDS DEPOSITED WITH THE IDAHO GEOLOGICAL SURVEY, TO PREVENT THE DISCLOSURE OF INFORMATION UNDER CERTAIN CONDITIONS, TO PROVIDE THAT THE IDAHO GEOLOGICAL SURVEY SHALL SHARE CERTAIN INFORMATION WITH THE IDAHO OIL AND GAS CONSERVATION COMMISSION AND THE DEPARTMENT OF LANDS AND TO PROVIDE THAT SUCH ACTION SHALL NOT RENDER THE SHARED INFORMATION SUBJECT TO DISCLOSURE UNDER SPECIFIED LAW; AND AMENDING SECTION 47-319, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES, TO PROVIDE FOR THE SHARING OF CERTAIN RECORDS AND INFORMATION BETWEEN THE OIL AND GAS CONSERVATION COMMISSION, THE DEPARTMENT OF LANDS AND THE IDAHO GEOLOGICAL SURVEY, TO PROVIDE THAT SUCH ACTION SHALL NOT RENDER THE SHARED INFORMATION SUBJECT TO DISCLOSURE UNDER SPECIFIED LAW, TO PROVIDE FOR THE SHARING OF CERTAIN INFORMATION WITH OTHER STATE AGENCIES IF AUTHORIZED BY LAW AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 510
BY RESOURCES AND CONSERVATION COMMITTEE
 AN ACT

RELATING TO PROSPECTING AND SMALL-SCALE SUCTION DREDGE MINING; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 42-1731, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 42-1734A, IDAHO CODE, TO PROVIDE EXCEPTIONS TO CERTAIN PROHIBITED ACTIVITIES ASSOCIATED WITH THE COMPREHENSIVE STATE WATER PLAN; AMENDING SECTION 42-3802, IDAHO CODE, TO REVISE A DEFINITION, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 38, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-3813, IDAHO CODE, TO PROVIDE THAT CERTAIN PROVISIONS OF SPECIFIED LAW SHALL NOT APPLY TO PROSPECTING AND SMALL-SCALE SUCTION DREDGE MINING AND TO PRECLUDE CERTAIN PROHIBITION OF PROSPECTING AND SMALL-SCALE SUCTION DREDGE MINING; AMENDING SECTION 47-703A, IDAHO CODE, TO REVISE PROVISIONS REGARDING CASUAL EXPLORATION USING CERTAIN SUCTION DREDGES AND TO REVISE PROVISIONS REGARDING MOTORIZED EXPLORATION USING CERTAIN SUCTION DREDGES; AMENDING SECTION 47-1312, IDAHO CODE, TO PROVIDE THAT SMALL-SCALE SUCTION DREDGE MINING SHALL BE EXEMPT FROM SPECIFIED REGULATION; AMENDING SECTION 47-1313, IDAHO CODE, TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 511
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO HOMEOWNER'S ASSOCIATIONS; AMENDING SECTION 55-115, IDAHO CODE, TO PROVIDE ADDITIONAL PROHIBITED CONDUCT REGARDING COVENANTS, CONDITIONS OR RESTRICTIONS BY HOMEOWNER'S ASSOCIATIONS WITH EXCEPTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 512
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO COMMUNITY COLLEGES; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2104A, IDAHO CODE, TO PROVIDE FOR COMMUNITY COLLEGE TRUSTEE ZONES AND RELATED PROVISIONS; AMENDING SECTION 33-2106, IDAHO CODE, TO REVISE PROVISIONS REGARDING TRUSTEES OF COMMUNITY COLLEGE DISTRICTS AND TO PROVIDE AN APPEALS PROCESS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 513
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE FEDERAL REAL ID ACT OF 2005; AMENDING SECTION 40-322, IDAHO CODE, TO REMOVE CERTAIN LEGISLATIVE FINDINGS, TO PROVIDE FOR PARTICIPATION IN THE IMPLEMENTATION OF THE REAL ID ACT OF 2005 BY THE STATE OF IDAHO, THE IDAHO TRANSPORTATION BOARD AND THE

IDAHO TRANSPORTATION DEPARTMENT, TO PROVIDE FOR THE SUBMISSION OF COMPLIANCE EXTENSION REQUESTS AND STATUS REPORTS TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

[H 497, H 498, H 499, H 500, H 501, H 502, H 503, H 504, H 505, H 506, H 507, H 508, H 509, H 510, H 511, H 512, and H 513](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

7TH ORDER
Motions, Memorials, and Resolutions

[HCR 42](#) - MATT PARADIS

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HCR 42](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 42](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Barbieri, Bateman, Batt, Bell, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 67.

NAYS – None.

Absent – Andrus, Beyeler, Shepherd. Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 42](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kerby and Ms. Boyle to open debate.

The question being, "Shall [HCR 42](#) be adopted?"

Whereupon the Speaker declared [HCR 42](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER
Second Reading of Bills and Joint Resolutions

[HJM 13](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 486](#), by Business Committee, was read the second time by title and filed for third reading.

[H 451](#) and [HCR 33](#), by Education Committee, were read the second time by title and filed for third reading.

[SCR 134](#), by Education Committee, was read the second time by title and filed for third reading.

[H 449](#) and [H 474](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

11TH ORDER

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [SCR 132](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

At this time, Mr. Moyle took the Chair.

[SCR 132](#) - PEACE OFFICERS

[SCR 132](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. McDonald to open debate.

The question being, "Shall [SCR 132](#) be adopted?"

Whereupon the Speaker Pro Tem declared [SCR 132](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Crane asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER

Announcements

Announcements were made to the body.

16TH ORDER

Adjournment

Mr. Crane moved that the House adjourn until 11 a.m., Wednesday, February 17, 2016. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 11:59 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk